

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DAVID FREEMAN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 2:06CV122-MHT-VPM
	)	
RICHARD F. ALLEN, Commissioner	)	
Alabama Department of Corrections,	)	
	)	
Respondent.	)	
	)	

**ORDER**

The court has reviewed counsel's first submission of CJA vouchers in this case which cover the time period beginning January 20, 2006 and ending October 30, 2006. The court is concerned because the requested compensation for tasks identified in the CJA vouchers exceeds the amount identified in the Preliminary Litigation Budget filed under seal on October 30, 2006. Based upon the court's review of the budget and the vouchers, it appears that certain tasks took counsel longer to complete than was anticipated in the budget. The court recognizes that the budget process requires counsel to speculate, somewhat, on the amount of time necessary to complete certain tasks and the court bears this in mind when examining CJA requests for reasonableness. However, because in this instance, it appears to the court that the budget was not filed until the completion of the tasks identified in the

CJA vouchers, the court requires additional explanation from counsel for why the budget was exceeded. Accordingly, it is

ORDERED that or before December 18, 2006, counsel shall file with the court written justification for the amount of time spent and compensation requested by counsel which exceeds the amounts identified in the budget. Counsel is REMINDED that the budget request may not be exceeded without prior request for good cause shown.

DONE this 7th day of December, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE